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NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 23rd March 1949 :—

S. No.	No. and Date	Issued by	Subject
1	No. 6-I.T.C./49, dated the 17th March 1949.	Ministry of Commerce	Open General Licence No. XIII.
	No. 7-I.T.C./49, dated the 17th March 1949.	Ditto.	Open General Licence No. XIII.
2	No. I (21), dated the 28th January 1949 .	Ministry of Relief and Rehabilitation	Possession of and control over certain evacuee properties in the Province of Delhi.
3	No. I (24), dated the 8th March 1949 .	Ditto. . . . .	Ditto.
4	No. 577-WIII/49, dated the 18th March 1949.	Ministry of Works, Mines and Power	Delhi and Ajmer-Merwara Rent Control Act, 1947 (XIX of 1947).
5	No. I (25), dated the 11th March 1949 .	Ministry of Relief and Rehabilitation	Possession of and control over certain evacuee properties in the Province of Delhi.
6	No. 8-I.T.C./49, dated the 22nd March 1949.	Ministry of Commerce . . . . .	Further amendments in the Open General Licence No. XI.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

CONTENTS

	PAGES		PAGES
PART I—SECTION 1.—Notifications relating to Rules, Regulations and Orders, and Resolutions issued by Ministries of the Government of India (other than the Ministry of Defence) and Notifications issued by the Federal Court	379—402	PART V.—Bills introduced in the Constituent Assembly of India (Legislative), Reports of Select Committees presented to the Constituent Assembly of India (Legislative) and Bills published under Rule 39 of the Constituent Assembly (Legislative) Rules of Procedure and Conduct of Business—	
PART I—SECTION 2.—Notifications regarding Appointments, Promotions, etc., of Government officers issued by Ministries of the Government of India (other than the Ministry of Defence) and by the Federal Court	403—411	Bill No. 25 of 1949.—The Criminal Law (Removal of Racial Discrimination) Act, 1949	141—143
PART I—SECTION 3.—Notifications relating to Rules, Regulations and Orders and Resolutions issued by the Ministry of Defence	413	Bill No. 26 of 1949.—The Merchant Shipping Laws (Extension to Acceding States and Amendment) Act, 1949 . . . . .	143—145
PART I—SECTION 4.—Notifications regarding Appointments, Promotions, Leave, etc., of officers issued by the Ministry of Defence	415—421	Bill No. 27 of 1949.—The Protective Duties (Miscellaneous Provisions) Act, 1949 . . . . .	145—148
PART II—SECTION 1.—Notifications and Notices issued by the Patent Office relating to Patents and Designs ( <i>Published at Simla</i> )	229—233	Bill No. 28 of 1949.—The Bombay Port Trust (Amendment) Act, 1949 . . . . .	148—149
PART II—SECTION 2.—Notifications issued by the High Court, the Auditor General, the Federal Public Service Commission, the Indian State Railways, and by attached and subordinate offices of the Government of India ( <i>Published at Simla</i> )	235—242	Bill No. 29 of 1949.—The Banking Companies (Legal Practitioners Clients Account Act, 1949 . . . . .	149—150
PART II—SECTION 3.—Miscellaneous Notifications, i.e., those not included in Sections 1 and 2 of Part II ( <i>Published at Simla</i> )	243—244	Bill No. 30 of 1949.—The Industries (Development and Control) Act, 1949 . . . . .	151—156
PART I A.—Notifications relating to Minor Administrations ( <i>Published at Simla</i> )	89—125	SUPPLEMENT No. 13—	
PART III.—Advertisements and Notices by Private Individuals and Corporations ( <i>Published at Simla</i> )	51—60	Statistics of reported attacks and deaths from cholera, small-pox, plague and other infectious diseases in districts and towns in India and some of the Indian States during the week ending the 12th February 1949. . . . .	161—164
PART IV.—Act of the Dominion Legislature assented to by the Governor-General—		Statements showing births and deaths from principal diseases in towns with a population of over 30,000 in the provinces of India and some of the Indian States for the week ending the 12th February 1949 . . . . .	165—171
Act No. XI of 1949.—The Railways (Transport of Goods) Amendment Act, 1949 . . . . .	83	Cotton Press Returns for weeks ending the 4th, 11th, 18th and 25th June 1948 . . . . .	172—179

**PART I—Section 1****Government of India Notifications relating to Rules, Regulations and Orders, and Resolutions (other than the Ministry of Defence)****MINISTRY OF LAW***New Delhi, the 12th March 1949*

**No. F.35-I/49-L.**—In exercise of the powers conferred by sub-section (3) of section 175 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor-General is pleased to direct that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law No. F.82-III/48-L, dated the 8th January 1949, relating to the execution of contracts and assurances of property, namely:—

In Part IX of the said notification for Head B the following shall be substituted, namely:—

“B—In the case of the Central Excise Collectorates —

1. (i) All contracts, deeds or other instruments relating to the business of the Central Excise Collectorates; *by the Collector or the Deputy Collector of Central Excise.*

(ii) Contracts for the lease of land in the control of the Central Excise Collectorates, where such lease is otherwise permissible; *by the Collector or the Deputy Collector of Central Excise.*

(iii) Contracts or other instruments for the purchase, supply and conveyance of furniture, stores etc; *by the Collector or the Deputy Collector of Central Excise or the Assistant Collector of Central Excise in charge of a Division.*

(iv) Leases of land and leases and surrender of buildings or other immovable property; *by the Collector or the Deputy Collector of Central Excise.*

(v) Security bonds in connection with the employment of office cashiers and other subordinates who are required to handle Government money in the course of their official work; *by the Collector or the Deputy Collector of Central Excise.*

2. Contracts and other instruments for the purchase, supply and conveyance or carriage of building materials, stores, machinery, etc. and contracts for petty construction and repairs and for public works of every description which are executed by the Central Excise Collectorate, Bombay; *by the Collector or the Deputy Collector of Central Excise, Bombay or the Assistant Collector in charge of a Division.*

*New Delhi, the 23rd March 1949*

**No. F. 35-I/49-L.**—In exercise of the powers conferred by sub-section (3) of section 175 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor-General is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the Ministry of Law No. F. 82-III/48-L dated the 8th January 1949, relating to the execution of contracts and assurances of property, namely:—

In Part III of the said notification, after item 4, the following item shall be inserted, namely:—

“5. Agreements with Mills in connection with the allotment of cotton; *by the Deputy Chief Controller of Imports, Bombay.*”

KANHAIYA SINGH, Addl. Dy. Secy

**MINISTRY OF EXTERNAL AFFAIRS***New Delhi, the 22nd March 1949*

**No. 87-Pt.**—It is notified for general information that the Consulate for the United States of Venezuela at Bombay has closed temporarily.

O. V. RAMADORAI, Under Secy.

*New Delhi, the 22nd March 1949*

**No. 554-49/AP (Pak. II).**—In exercise of the powers conferred by sub-section (3) of section I of the Recovery of Abducted Persons Ordinance, 1949 (No. V of 1949), the Central Government is pleased to direct that the said Ordinance shall come into force in the Province of Delhi with effect from the twenty-first day of March 1949.

PREM KRISHEN, Dy. Secy.

**MINISTRY OF STATES***New Delhi, the 17th March 1949*

**No. 62-I.B.**—In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to direct that the following further amendment shall be made in the Himachal Pradesh (Application of Laws) Order, 1948, namely:—

In the Schedule annexed to the said Order under the heading “Central Acts” in the column ‘Modifications and Restrictions’ against the entry relating to the Motor Vehicles Act (IV of 1939), after the modification (8), the following modification shall be inserted, namely:—

“(9) In the Sixth Schedule, after the entry “Delhi.....DL” the entry “Himachal Pradesh.....HIM” shall be inserted”.

HARI SHARMA, Dy. Secy

**MINISTRY OF FINANCE (REVENUE DIVISION)****Customs***New Delhi, the 19th March 1949*

**No. 10.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to exempt Sisal Fibre, Cebu Maguey, Cork Wood and Hair Yarn imported into the Provinces of India from payment of the customs duties leviable thereon.

A. N. PURI, Dy. Secy.

**INCOME-TAX***New Delhi, the 19th March 1949*

**No. 20.**—A list of institutions approved by the Central Government for the purposes of sub-section (I) of section

15B of the Indian Income-tax Act, 1922 (XI of 1922), is published for general information.—

*List*

Bombay

270. Blind Relief Association, Bombay.

271. Bhagini Samaj, Bombay.

West Bengal

272. All India Lighthouse for the Blind, Calcutta.

PYARE LAL, Dy. Secy.

**CENTRAL BOARD OF REVENUE**

**CUSTOMS**

*New Delhi, the 19th March 1949*

**No. 9.**—In exercise of the powers conferred by clause (c) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue makes the following further amendment in the table appended to its notification No. 48-Customs, dated the 21st September 1940, namely:—

In the said table, in the third column against entry No. 19 relating to Mody Bunder, after the word "Kathiawar" the words "and Kutch" shall be inserted.

A. N. PURI, Secy.

**MINISTRY OF COMMERCE**

**EXPORT TRADE CONTROL**

*New Delhi, the 26th March 1949*

**No. 67-OW(25)/48.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) the Central Government is pleased to make the following Order, namely:—

1. (i) This Order may be called the Cotton Textiles (Export Control) Order, 1949.

(ii) It extends to all the Provinces of India.

(iii) It shall come into force at once.

2. In this Order unless there is anything repugnant in the subject or context:—

(a) "export" means to take out of any Province in India by land, air or water to any place outside India;

(b) "Export Trade Controller" means an Export Trade Controller appointed by the Central Government and includes any other officer authorised by the Central Government to perform all or any of the functions of an Export Trade Controller under this Order;

(c) "exporter" means a person holding a valid export licence issued by or under the orders of an Export Trade Controller authorising him to export cloth or yarn;

(d) "carrier" includes any person engaged in the business of transporting property from any Province in India to a place outside India by land, air or water;

(e) "standard price" in relation to any cloth or yarn means the ex-factory maximum price which has been fixed by the Textile Commissioner for cloth or yarn of the same class or specification under the provisions of the Cotton Textiles (Control) Order, 1948 as applicable at the date of the contract of sale by the producer provided that where the producer is himself the exporter the standard price shall be determined with reference to the date of the contract between the producer and the overseas importer concerned against a valid export quota held by the former;

(f) "cloth", "yarn", "dealer", "manufacturer", "producer", and "processor", shall have the meanings respectively assigned to them in the Cotton Textiles (Control) Order, 1948;

(g) "Textile Commissioner" means the Textile Commissioner, the Additional Textile Commissioner or the Joint Textile Commissioner appointed by the Central Government and includes any officer authorised by such Textile Commissioner to exercise all or any of the powers of the Textile Commissioner under this Order;

(h) "export price" in relation to any consignment of cloth or yarn exported means—

(i) in the case of export by water f.o.b. price.

(ii) in the case of export by land or air f.o.r. price with reference to the railway station nearest to the place of export less an amount equal to the railway freight thereon as calculated by the direct route from the railway station nearest to the place of manufacture to the station nearest the place of export;

3. Save in accordance with the permission of the Textile Commissioner and subject to such conditions as he may impose as to the selling price, the markings to be made or otherwise, no person other than a producer shall sell, agree to sell or store for sale to any person any cloth or yarn for export.

4. No person shall save in accordance with the general or special permission of the Textile Commissioner export, sell or agree to sell for export cloth or yarn which has been marked with prices.

5. No person shall save in accordance with the general or special permission of the Textile Commissioner export, sell or agree to sell for export cloth or yarn of any class or specification the standard price whereof has not been fixed.

6. (i) The Central Government may by notification in the Official Gazette direct that, from such date as may be specified in the notification all cloth or yarn exported or intended for export and the packing thereof shall conform to such minimum standard or specifications and shall bear such markings made at such time and in such manner as may be specified in the notification; and thereupon no person shall sell or otherwise dispose of and no person shall buy or otherwise acquire for export any cloth or yarn which does not conform to these directions.

Provided that the Central Government or the Textile Commissioner may by general or special order exempt any cloth or yarn or any class of cloth or yarn from the provisions of this sub-clause.

(ii) The Textile Commissioner may with a view to securing compliance with sub-clause (i):—

(a) enter and search any premises where cloth or yarn intended for export is manufactured or stored;

(b) inspect or cause to be inspected any cloth or yarn intended for export;

(c) seize, or cause to be seized, any cloth in respect of which he has reason to believe that a contravention of sub-clause (i) has been committed.

7. No cloth or yarn shall be exported except by, or through the agency of, an exporter.

8. (i) The provisions of this clause shall apply only in relation to export of cloth or yarn to such places or countries as the Central Government may by notification in the Official Gazette specify in this behalf.

(ii) No producer shall sell or agree to sell for export any cloth or yarn at an ex-factory price which exceeds its standard price by more than 8 per cent. thereof.

(iii) Every exporter shall within 30 days of the export of any consignment of cloth or yarn produce before the Export Trade Controller concerned the invoice or invoices (in duplicate) pertaining to the consignment and giving such details as to quantity and description of the goods consigned, export price of the goods, commission payable by the exporter to any selling agent outside India and other matters as the Export Trade Controller may by general or special order require to be given.

(iv) No person shall export any cloth or yarn the export price of which as determined from the invoices mentioned in sub-clause (iii) exceeds its standard price:—

(a) by more than 10 per cent. thereof in a case where the exporter is himself the producer of the cloth or yarn exported; or

(b) by more than 20 per cent. thereof in any other case;

Provided that where the exporter satisfies the Export Trade Controller concerned that he had, or has, to pay a commission to a selling agent outside India in respect of the export, the percentages specified in this sub-clause may

be increased to cover the commission but not so as to make them more than 12½ per cent. and 22½ per cent. respectively.

Provided further that in respect of cloth or yarn on which a duty of customs has been paid an amount equal to such duty may be added to the export price.

Provided also that the Central Government may by notification in the Official Gazette vary the percentages mentioned in this sub-clause in respect of exports to such places or countries as may be specified in the notification.

(v) The Central Government may by general or special order exempt any cloth or yarn or any class of cloth or yarn or any transaction or class of transactions in cloth or yarn from all or any of the provisions of sub-clauses (ii), (iii) and (iv).

(vi) Notwithstanding anything to the contrary contained in sub-clauses (ii) and (iv) the seller or exporter may add to the sale price or the export price of any cloth or yarn sold or exported by him:—

- (a) the amount of sales tax, octroi or other local tax or cess paid or payable in respect of such cloth or yarn;
- (b) the amount of the actual freight incurred in transporting such cloth or yarn to the place at which it is delivered or shipped for export if such place is more than 100 miles from the place of manufacture; provided that such addition shall not exceed the amount of freight which would have been incurred for the transport by direct route of such cloth or yarn by the means of transport ordinarily employed;
- (c) the amount of the processing charges incurred by an exporter for having the cloth or yarn processed by a processor as certified by the Textile Commissioner as being reasonable.

9. Any Export Trade Controller may with a view to securing compliance with this Order:—

- (a) require any person to give any information or produce any document in his possession with respect to any business carried on by that or any other person;
- (b) require any manufacturer or dealer to furnish returns in respect of cloth or yarn sold by him for export and the prices charged therefor;
- (c) inspect or cause to be inspected any cloth or yarn sold or intended to be sold for export;
- (d) seize or cause to be seized any cloth or yarn in respect of which he has reason to believe that a contravention of this Order has been committed

10. Every carrier by sea or air shall at the request of an exporter furnish him with a certificate showing the quantity of cloth or yarn contained in the consignment exported by him or through his agency, the name or other identifying particulars of the vessel or aircraft in which the consignment was exported and the date of such export.

11. A Court trying any contravention of this Order may without prejudice to any other sentence which it may pass direct that any cloth or yarn in respect of which it is satisfied that such contravention has occurred shall be forfeited to the Central Government.

12. The Cloth and Yarn (Export Control) Order, 1945 is hereby repealed; provided that anything done or deemed to have been done under any provision of the said Order shall be deemed to have been done under the corresponding provision of this Order, and any reference in any instrument to any provision of the said Order or any notifications issued thereunder shall be deemed to be a reference to the corresponding provision of this Order or any notification issued thereunder.

**No. 67-CW(25A)/48.**—In exercise of the powers conferred by sub-clause (i) of clause 6 of the Cotton Textiles (Export Control) Order, 1949, and in supersession of the notification of the Government of India in the Department of Commerce, No. 67-CW(15B)3/45, dated the 22nd June 1946, the Central Government is pleased to specify herein the markings to be made, and the time and manner of making them, on cloth or yarn intended for export and packed by any manufacturer or contracted by him for delivery on or after the 15th April 1949.

2. *Cloth.*—(1) The markings to be made on such cloth shall be:—

- (i) the words "For Export Only";
- (ii) the Texmark and the manufacturer's distinguishing number as provided by the Notification of the Textile Commissioner No. T.C.(6)1/44, dated the 19th February 1944;
- (iii) The serial number of the cloth indicated by the producer for the purpose of the maximum ex-factory price fixed by the Textile Commissioner under the Cotton Textiles (Control) Order, 1948;
- (iv) the width of the cloth;
- (v) in the case of cloth, the count of the warp yarn employed wherein is 17s or finer, the word "Medium" if such count is below 35s; and the word "Fine" if such count is 35s or finer and below 48s, and the word "Fine (Super)" if such count is 48s or finer;
- (vi) the month and year of packing.

(2) The markings shall be made on each piece of cloth at a distance of not more than one yard from the nearest end; provided that in the case of bed spreads, table cloths or furnishing fabrics such markings shall be made on a piece of cloth securely sewn to the item or piece.

(3) The markings [other than those referred to item (ii) in sub-paragraph (1)] shall be made in letters and figures not less than ¼" in height.

(4) Notwithstanding anything contained in sub-paragraphs (1), (2) and (3) above, in the case of towels, handkerchiefs, dusters, napkins and any other piece of cloth not exceeding one yard in length, the following markings alone shall be made on a piece of cloth securely sewn to the item in letters and figures not less than ¼" in height, namely:—

- (a) The Texmark and distinguishing number preceded by the letters "TN";
- (b) Month and year of packing,
- (c) Serial number,
- (d) The words "for export only".

3. *Yarn*—(1) The markings to be made on such yarn shall be:—

- (i) the words "For Export Only";
- (ii) the Texmark and the manufacturer's distinguishing number as provided by the Notification of the Textile Commissioner No. T.C.(6)1/44, dated the 19th February 1944;
- (iii) the count of the yarn;
- (iv) the cotton from which it is made (whether Indian or foreign);
- (v) whether single or folded;
- (vi) whether carded or combed;
- (vii) whether processed;
- (viii) month and year of packing.

(2) The markings shall be made on the wrapper of each bundle of yarn or on a label attached thereto.

(3) The markings [other than that specified in item (ii) of sub-paragraph (1)] shall be in letters and figures not less than ¼" in height.

4 The markings specified herein shall be made before the cloth or yarn is packed or delivered by the producer.

5. If any cloth or yarn sold for export is thereafter subjected to any ancillary process such as bleaching, dyeing, printing, calendering, or mercerising, the markings as provided in sub-paragraph (2) or sub-paragraph (3) of paragraph 3 as the case may be, shall be made thereon before it is packed or delivered; provided that:—

- (i) the Texmark and distinguishing number of the person carrying out the processing shall be marked thereon in addition to that of the basic cloth or yarn; and
- (ii) the width to be stamped on processed cloth shall be the actual width of the cloth as processed.

Nothing in this notification shall apply in relation to—

- (a) Hand spun yarn.
- (b) Handloom cloth.
- (c) Pearl cord.
- (d) Sewing thread.
- (e) Embroidery thread.
- (f) Cotton string.
- (g) Cotton twine.

(h) Hard Waste, i.e., categories of yarn particularly described below which are knotted and entangled and unsuitable for weaving:—

- (1) Grey sized long ends.
- (2) Grey unsized long ends.
- (3) Coloured unsized long ends.
- (4) Coloured sized long ends.
- (5) Coloured sized short ends.
- (6) Grey unsized short ends.
- (7) Grey sized short ends.
- (8) Coloured unsized short ends.
- (9) Dirty beam ends.
- (10) Warping hard waste.
- (11) Bleached yarn waste.
- (12) Coloured yarn waste.
- (13) Coloured mixed yarn waste.
- (14) Winding hard waste.
- (15) Winding hard waste dirty.
- (16) Reeling hard waste.
- (17) Bobbin cut waste.
- (18) Bonda piecer waste.
- (19) Weaving sweeping.
- (20) Oily hard waste.
- (21) Pulled out and broken cops.

(i) Single cotton yarn of counts below is manufactured from 100 per cent. waste.

**No 67-OW(25B)/48.**—In pursuance of sub-clause (i) of Clause 8 of the Cotton Textiles (Export Control) Order, 1948, and in supersession of the notification of the Government of India in the Ministry of Commerce No. 67-C.W (15A)4/45, dated 31st January 1948, the Central Government is pleased to direct that the provisions of the said clause shall, with effect from the date of this Notification apply only in relation to the export of cloth or yarn to the following territories, namely:—

Australia, British East Africa (Kenya, Uganda and Tanganyika) and Sudan.

#### COMMERCE—ADMINISTRATION

New Delhi, the 26th March 1949

**No. 33-Admn(O)(4)/49.**—*Corrigendum.*—In the Government of India, Ministry of Commerce Notification No. 33-Admn. (C)(4)/48, dated the 26th February 1949 the name of Mr. M. Ahmadullah shall be read as "Ahmadullah" instead of "Ahmedullah".

V. C. TRIVEDI, Dy. Secy.

#### MINISTRY OF INDUSTRY AND SUPPLY

New Delhi, the 19th March 1949

**No. I(4)-1(19)/48.**—In para. 1 of this Ministry's Resolution No. I(4)-1(19), dated the 2nd September 1948, constituting the Central Advisory Council of Industries, the following amendments shall be made, viz.:—

(i) for the existing item (2), the following shall be substituted—

"Nine representatives of the Government of India, one each from the Ministries of Commerce, Finance, Labour, Railways, Transport, and Works, Mines and Power, and three from the Ministry of Industry and Supply."

(ii) in item (10), for "Twentyeight....." read "Twenty-nine....." and for "Two representing coal" read "Three representing coal".

(iii) for the existing item (11), the following shall be substituted—

"Not more than nine members selected by the Government of India to represent industries or interests not otherwise represented."

2. In para. 2 of this Ministry's Notification No. I(4)-1(19)/48, dated the 6th December 1948, the following additions and amendments shall be made—

(i) Under "Government Representatives (Central Government)"

(a) against "Ministry of Industry and Supply", add "Dr. Lal C. Verman, Director, Indian Standards Institute".

(b) "Ministry of Transport.....Shri S. Chakravarti, I.C.S., Joint Secretary."

(ii) Under "Representatives of Industry"—

(a) against "Coal", add "Mr. D. R. Rathor, Indian Colliery Owners' Association, Jharia".

(b) after the existing entry "Re-rolling Mills", add

"Industrialists nominated, . . . . . Seth G. D. Birla,  
by Government. Birla House, New Delhi.

Mr. Kasturbhai Lalbhai,  
Pankore's Naka, Ahmedabad.

Mr. Inder Prakash Anand,  
Bharat Starch & Chemicals  
Ltd, Abdullapur P. O. East  
Punjab.

Shri Syamnandan Sahay,  
Muzzaffarpur P. O. Bihar."

(iii) Under "Representatives of Industry", for the existing entry against "Fertilizers", substitute "Mr. V. Seshasayee, Sita Sadan, 4, Williams Road, Trichinopoly".

#### ORDER

ORDERED that a copy of the above Notification be communicated to all Provincial Governments and Administrations, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, the Indian Trade Commissioners, all Indian Embassies, The High Commissioner for India, London, His Majesty's Trade Commissioner in India, All Chambers of Commerce and Associations, the Director of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board, and the Secretary, All India Congress Committee.

ORDERED also that it be published in the *Gazette of India*.

M. P. PAI, Joint Secy.

New Delhi, the 26th March 1949

**No. 308-PA(90).**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that with effect from the 1st April 1949 the following further amendment shall be made in the Paper (Prices of Imported Paper) Control Order, 1944, namely:—

In the proviso to clause 4(1)(b) of the said Order for the figure "6", the figure "9" shall be substituted.

P. S. SUNDARAM, Under Secy.

Bombay, the 26th March 1949

**No. 9(9)-Tex.1/49.**—In exercise of the powers conferred on me by clause 34 of the Cotton Textiles (Control) Order, 1948, and with the sanction of the Central Government, I hereby authorise each of the officers in the Directorate of Enforcement, Ministry of Industry and Supply,

New Delhi, not below the rank of an Enforcement Officer to discharge on my behalf the functions of the Textile Commissioner under clause 31 of the said Order.

**No. 15-Tex.I/49.**—In pursuance of sub-clause (i) of clause 3 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's General Permit No. 1, dated the 10th September 1948, contained in his notification No. 101/19-Tex.I/48(i), dated the 10th September 1948, namely:—

In paragraph 6 of the said General Permit—

- (i) Items Nos. (ix), (xxi), (xxiv), (xxv), (xxviii), (xxix), (xxx), (xxxi) and (xxxii) shall be deleted and items (x) to (xx), (xxii), (xxiii), (xxvi), (xxvii), (xxxiii) and (xxiv) renumbered as items (ix) to (xxv) respectively.
- (ii) In item No (xviii) so renumbered for the words "Umbrellas and Umbrella cloth" the word "Umbrellas" shall be substituted.

**No. 15-Tex.I/49(i).**—In pursuance of sub-clause (I) of clause 3 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's General Permit No. 1, dated the 10th September 1948, contained in the notification No. 101/19-Tex.I/48(i), dated the 10th September 1948, namely:—

In paragraph 1 of the said General Permit item No. (28) shall be deleted and item Nos. (24) to (33) renumbered as Nos. (28) to (32) respectively.

**No. 15-Tex.I/49(ii).**—In exercise of the powers conferred upon me by sub-clause (e) of clause 2 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's notification No. 101-TA/46(ii), dated the 20th July 1946, namely:—

In the table appended to the said notification after entry No. 10 the following shall be added:—

- |   |  |
|---|--|
| (11) The Provincial Textile Commissioner, Madras, and all Assistant Textile Commissioners, Madras.  | Province of Madras.                    |
| (12) All Collectors, all Textile Control Officers, all Inspectors of Textiles, all Officers of the Revenue Department not below the rank of Revenue Inspectors, all Officers of the Commercial Taxes Department not below the rank of an Assistant Commercial Tax Officer, and all Officers of the Prohibition Departments not below the rank of a Sub-Inspector in the Province of Madras. | Within their respective jurisdiction". |

**No. 27/1-T(2)/48(i).**—In pursuance of clause 5 of the Cotton Textiles (Export Control) Order, 1949, I hereby permit any person, for the purposes of the said clause, to export, sell or agree to sell for export cloth or yarn of the following descriptions only, though the standard price thereof has not been fixed, namely:—

- (a) Cloth produced by a producer who has no spinning plant.
- (b) Hand spun yarn.
- (c) Handloom cloth.
- (d) Pearl cord.
- (e) Sewing thread.
- (f) Embroidary thread.
- (g) Cotton string.
- (h) Cotton twine.
- (i) Hard waste, i.e. categories of yarn more particularly described below which are knotted and entangled and unsuitable for weaving:—

- (1) Grey sized long ends.
- (2) Grey unsized long ends.
- (3) Coloured unsized long ends.
- (4) Coloured sized long ends.
- (5) Coloured sized short ends.

- (6) Grey unsized short ends.
- (7) Grey sized short ends.
- (8) Coloured unsized short ends.
- (9) Dirty beam ends.
- (10) Warping hard waste.
- (11) Bleached yarn waste.
- (12) Coloured yarn waste.
- (13) Coloured mixed yarn waste.
- (14) Winding hard waste.
- (15) Winding hard waste dirty.
- (16) Reeling hard waste.
- (17) Bobbin cut waste.
- (18) Bonda pincer waste.
- (19) Weaving sweeping.
- (20) Oily hard waste.
- (21) Pulled out and broken cops.

**No. 27/1-T(2)/48(ii).**—In pursuance of sub-clause (g) of clause 2 of the Cotton Textiles (Export Control) Order, 1949, I hereby authorise each of the officers specified below to exercise the powers of Textile Commissioner under clauses 3, 4, 5 and 6 of the Cotton Textiles (Export Control) Order, 1949:—

- 1 Mr. V. M. Srikumaran, Deputy Assistant Director, Office of the Textile Commissioner, Bombay.
- 2 Mr. S. R. Ramakrishnan, Deputy Assistant Director, Office of the Textile Commissioner, Bombay.

T. P. BARAT, Textile Commissioner.

## MINISTRY OF AGRICULTURE

New Delhi, the 12th March 1949

**No. F. 51-3/47-Comm.**—In exercise of the powers conferred by Section 4(5) (ix) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government are pleased to renominate with effect from 1st February 1949 Mr. W. F. Dines to be a member of the Advisory Board of the Indian Lac Cess Committee to represent the lac manufacturing industry.

New Delhi, the 22nd March 1949

**No. F.38-5/49-Com.**—Under Rule 1(16) of the Rules and Regulations of the Indian Central Jute Committee, Rai Bahadur Raghubans Prosad Singh has been renominated by the Government of Bihar to be a member of the Indian Central Jute Committee to represent Jute-growers with effect from the 23rd December 1948

Under Rule 1(12) of the Rules and Regulations of the Indian Central Jute Committee, Mr. Mohan Lal Jeloka has been re-nominated by the Government of Bihar to be a member of the Indian Central Jute Committee to represent the Jute-trade with effect from the 23rd December 1948.

S. M. SRIVASTAVA, Dy. Secy.

## ZOOLOGY

New Delhi, the 22nd March 1949

**No. 32-64/46-Z.**—The rules regulating recruitment to the Zoological Survey of India (Central Services, Class II) are published for general information:—

### ZOOLOGICAL SURVEY OF INDIA (CENTRAL SERVICE, CLASS II) RECRUITMENT RULES

1. These Rules may be called the Zoological Survey (Central Service, Class II) Recruitment Rules.

2. For the purposes of these Rules:—

- (a) "Government" means the Central Government.
- (b) "The Commission" means the Federal Public Service Commission.
- (c) "High Commissioner" means the High Commissioner for India in the United Kingdom.

(d) "The services" means the Zoological Survey of India (Central Service, Class II).

(e) "Direct appointment" ordinarily signifies appointment otherwise than by transfer or promotion.

3. "Recruitment to the service shall be made to the extent of 50 per cent. of the vacancies by promotion from the subordinate service of the Zoological Survey of India or by transfer from other Departments and of 50 per cent. by direct Appointment on the recommendation of the Commission in India and elsewhere on the recommendation of the High Commissioner, who may appoint, a selection board to advise him concerning the appointment and may determine the manner in which any such selection board shall exercise its functions. In the case of recruitment by promotion or transfer no officer shall have any claim to such promotion or transfer as of right".

4. Every candidate—

- (a) for direct appointment must be (i) a national of the Indian Dominion by birth or by domicile, or
- (ii) a person of Indian descent, or a ruler or a citizen of a non-acceding Indian State, or a citizen of the Pakistan Dominion or of any other territory adjacent to India, in whose favour a declaration of eligibility has been issued by the Government of the Dominion of India, or
- (iii) a ruler or a subject of an Acceding State.

(NOTE—A declaration of eligibility will be given by the Government after considering each individual case on merits.)

- (b) should possess such degree or other academic qualifications of a recognised University (*vide* list attached). The qualifications laid down for the various Class II posts will be as under:—

**Assistant Zoologists.**—Candidates must have either an Hons. Degree or Post-Graduate Degree in Zoology of a recognised University (*vide* list attached). Some experience of research work on Morphology or Systematics of the group to which the post pertains is essential. It is desirable that the candidates should have received some training in the collection and preservation of Zoological specimens in the field and in the handling and maintaining of large Zoological Collections in some Museum or Zoological Research Institution.

**Librarian.**—Candidates must be Graduates and, in addition, have a Degree or Diploma of Librarianship of a recognised University (*vide* list attached). Practical experience in maintaining on modern lines a large Scientific Library is essential. Good knowledge of reading and writing French and German is desirable.

**Taxidermists.**—Candidates must have experience in, and be thoroughly conversant with, methods of modern taxidermy. A graduate in Science with Zoology as one of the subjects will be preferred. It is desirable that the candidates should be able to produce evidence of having been trained in methods of modern taxidermy in some Museum or Zoological Research Institution.

- (c) except in the case of promotions, must be between 21 to 28 years of age on the 1st day of April, in the year of recruitment provided that when Government require a recruit with special qualifications, they may modify the maximum age limit.

- (d) The decision of the Commission or the High Commissioner as the case may be, on the question whether a candidate does, or does not, satisfy any of the requirements of rule 4 shall be final.

5. Subject to the provision of sub-section (4) of Section 262 of the Government of India Act, 1935, as amended by the Adaptation Order Government may modify or waive all or any of the requirements of rules 4(a), (b) and (c) when an appointment for work of a special nature is to be made and it is not practicable to obtain a suitable candidate who fulfils all the requirements of rule 4.

6. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his/her duties as an officer of the Service. A candidate who (after such medical examination as Government may prescribe) is found not to satisfy those requirements will not be appointed.

7. Every candidate must, at the time of application, pay such fee as Government, after consulting the Commission, may from time to time prescribe. Candidates must submit such proofs of their qualifications as the Commission may require.

8. (a) Appointment will be made on probation for a period of two years.

(b) If the work or conduct of an officer on probation is in the opinion of Government unsatisfactory, Government may discharge him/her after apprising him/her of the grounds on which it is proposed to do so and asking him/her to show cause in writing before orders of discharge are passed:

Provided that a probationer shall have no right of appeal against the orders of his/her discharge if he/she has been given an opportunity to show cause against the discharge and his/her reply duly considered as required above.

(c) If no action is taken by Government under sub-rule (b) of this rule, the period after the prescribed period of probation shall be treated as an engagement from month to month terminable on either side on the expiration of one calendar month's notice in writing.

(d) If the power to make appointments in the Service is delegated by the Government to any officer, that officer may exercise any of the powers of Government, under this rule.

## APPENDIX I

### LIST OF UNIVERSITIES APPROVED BY THE GOVERNOR GENERAL Indian Universities

Any University incorporated by an Act of the Central or of a Provincial Legislature in India.

The University of Mysore.

Osmania University.

The University of Travancore.

The University of Rajputana (A degree in Arts, Science and Agriculture only is accepted at present).

### University in Burma

The University of Rangoon.

### English and Welsh Universities

The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Reading, Sheffield and Wales.

### Scottish Universities

The Universities of Aberdeen, Edinburgh, Glasgow, and St. Andrew.

### Irish Universities

The University of Dublin (Trinity College).

The National University of Dublin.

The Queen's University, Belfast.

### Universities in Pakistan

The University of Punjab.

The Dacca University.

NOTE.—Applications from Candidates who are otherwise qualified but who have taken degrees from foreign Universities which are not included in Appendix I, will be considered on their merits.

## APPENDIX II

Details regarding conditions of service, salary, leave, Provident fund, etc., for direct recruits to the Service are given below. Those recruited by promotion or transfer will be governed by the relevant rules applicable to them.

Pay Rs. 275—25—500—E.B.—30—650—E.B.—30—800.

2. Conditions of service are those described in the Fundamental Rules subject to such modifications as may



be made by Government from time to time. In the matter of leave, the revised leave rules, 1938, will apply to all direct recruits.

3. No pensionary benefits will be allowed. Those who are ultimately confirmed will be admitted to the benefits of the contributory Provident Fund India with effect from the date of confirmation. Conditions governing the contributory Provident Fund are those laid down in the contributory Provident Fund Rules (India) subject to such modifications as may be made by Government from time to time.

V. S. KRISHNASWAMI, Dy. Secy.

### MINISTRY OF HEALTH

New Delhi, the 16th March 1949

**No. F. 12-3/49-P.H.(II).**—In exercise of the powers conferred by clause (in) of rule 10 of the Indian Aircraft (Public Health) Rules, 1946, the Central Government is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the Ministry of Health No. F. 8-1/46-P.H.(II), dated the 25th February 1948, namely:—

In the said notification, after item 6, the following item shall be added, namely:—

“7. The British Military Administration, Eritrea.”

P. S. DORASWAMI, Under Secy.

### MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 17th March 1949

**No. PTN47/126-III.**—In the exercise of the powers conferred by Rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act, V of 1908), the Central Government is pleased to appoint the Deputy Chief Commercial Manager for the time being of the Assam Railway, to be the person by whom plaints and written statements may be signed and verified in any suit by or against the Central Government relating to the Affairs of the said Railway.

New Delhi, the 18th March 1949

**No. 809-TG.**—*Corrigendum.*—In the notification of the Government of India in Ministry of Railways (Railway Board) No. 809-TG, dated the 11th February 1949, published at pages 228-229 of the *Gazette of India*, Part I, Section 1, dated the 19th February 1949, for “(or 4 wheelers)” read “(or four 4-wheelers)” and for “As officer’s” read “An officer’s”.

New Delhi, the 21st March 1949

**No. 4073-TO.**—In exercise of the powers conferred by clauses (f) and (g) of sub-section (1) of section 47 of the Indian Railways Act, 1890 (IX of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March 1905, the Railway Board hereby sanction the following amendments in the rules published with the notification of the Government of India in the late Railway Department (Railway Board) No. 1080-T, dated the 18th February 1926, namely:—

In rule 7 of the said Rules—

(1) For sub-rule (b) the following sub-rule shall be substituted, namely:—

“(b) If not taken delivery of within a period of not less than one month after receipt at the station to which invoiced or way-billed, unclaimed goods, luggage and parcels will be sent to the unclaimed Goods or Lost Property Office and dealt with as laid down in sub-rules (f) and (g) below”:—

(2) For sub-rules (f) and (g) the following sub-rules shall be substituted, namely:—

“(f) Public sales by auction will be held from time to time of all unclaimed or lost property other

than food grains which has remained in the possession of—

(1) the E. P. Railway—

(i) in the Delhi area, *viz.* Ghaziabad, Delhi Shahdara, Delhi, Subzimandi, New Delhi, Hazrat Nizamud Din, Delhi Kishanganj and Shakur Basti, Amritsar, Jullundur City, Ludhiana, Ambala Cantt. and Simla, for over one month, and

(ii) in any other area for over three month;

(2) the E. I. Railway—

(i) in the Kanpur, Howrah, Sealdah, Allahabad, Lucknow, Banaras and Chitpur areas for over one month, and

(ii) in any other area for over three months;

(3) the G. I. P. Railway—

(i) in the Bombay Wadi Bunder area, Poona, Nagpur, Itwari, Agra area, and Mathura for over one month, and

(ii) in any other area for over three months;

(4) the B. B. and C. I. Railway—

(i) in the Bombay area and Ahmedabad area for over one month, and

(ii) in any other area for over three months;

(5) the M. and S. M. Railway—

(i) in the Madras area for over one month, and

(ii) in any other area for over three months;

(6) the S. I. Railway—

(i) in the Madras area, Trichinopoly, Madura, Coimbatore, Calicut and Cochin Harbour Terminus for over one month, and

(ii) in any other area for over three months, and

(7) any other Indian Government Railway for over three months.

At least 15 days' previous notice of each auction shall be given by advertisement in a newspaper.”

“(g) Public sales by auction will be held from time to time of all unclaimed food grains which have remained in the possession of—

(1) the E. P. Railway—

(i) in the Delhi area, *viz.* Ghaziabad, Delhi Shahdara, Delhi, Subzimandi, New Delhi, Hazrat Nizamud Din, Delhi Kishanganj and Shakur Basti, Amritsar, Jullundur City, Ludhiana, Ambala Cantt. and Simla, for over one month, and

(ii) in any other area for over two months;

(2) the E. I. Railway—

(i) in the Kanpur, Howrah, Sealdah, Allahabad, Lucknow, Banaras and Chitpur areas for over one month, and

(ii) in any other area for over two months;

(3) the G. I. P. Railway—

(i) in the Bombay Wadi Bunder area, Poona, Nagpur, Itwari, Agra area, and Mathura for over one month, and

(ii) in any other area for over two months;

(4) the B. B. and C. I. Railway—

(i) in the Bombay area and Ahmedabad area for over one month, and

(ii) in any other area for over two months;

(5) the M. and S. M. Railway—

(i) in the Madras area, for over one month, and

(ii) in any other area for over two months;

(6) the S. I. Railway—

(i) in the Madras area, Trichinopoly, Madura, Coimbatore, Calicut and Cochin Harbour Terminus for over one month, and

(ii) in any other area for over two months; and



(7) any other Indian Government Railway for over two months,

At least 15 days' previous notice of each auction shall be given by advertisement in a newspaper"

S. S. RAMASUBBAN, Secy

### MINISTRY OF COMMUNICATIONS

New Delhi, the 16th March 1949

**No. 10-A/2-48.**—The following draft of certain further amendments to the Indian Aircraft Rules, 1937, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934) is published, as required by section 14 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 20th June 1949. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

#### Draft Amendments

In the said Rules,—

1 For sub-rule (1A) of rule 1, the following shall be substituted, namely:—

“(1A) They extend to the whole of India”

2. In rules other than the said sub-rule, for the words “the Provinces of India”, wherever they occur, the word “India” shall be substituted,

3. In clause (c) of rule 8 for the words “subject to the provisions of the Indian Arms Act, 1878, and the rules made thereunder”, the words “subject to the provisions of the Indian Arms Act, 1878, and the rules made thereunder in case of the Provinces of India, and the Corresponding law in force in the Acceding States in case of such States” shall be substituted.

New Delhi, the 17th March 1949

**No. 10-A/53-48.**—In pursuance of rule 160 of the Indian Aircraft Rules, 1937, the Central Government is pleased to exempt for the period from the 1st January 1949 to the 31st December 1949, Indian registered aircraft engaged in international public transport, from the operation of clause (a) of sub rule (4) of rule 38 of the said Rules subject to the following conditions:—

- (i) The exemption shall apply only to flights between India and Pakistan, Ceylon or Burma, or such other destination as may be approved by the Director General of Civil Aviation.
- (ii) The exemption shall apply to flights by day only, along a recognised route as defined in clause (iii) of subrule (6) of rule 38 of the said Rules.
- (iii) The air crew shall comply with the provisions of section C of Schedule VIII to the said Rules.
- (iv) The pilot in charge of the aircraft shall be a person approved for the purpose of the flight by the Director General of Civil Aviation in India.
- (v) The aircraft employed and the radio apparatus installed therein shall be of a type approved by the Director General of Civil Aviation in India as suitable for the route to be flown.
- (vi) A copy of the order of exemption shall be carried in the aircraft.

New Delhi, the 21st March 1949

**No. 18-M/6-47.**—In the Government of India, Ministry of Communications Resolution No. 18M(6)/47, dated the 25th January 1949 regarding the setting up of the Central Board of Geophysics, the following amendment shall be carried out *vis.*:—

The existing entries under serial numbers 8 and 10 of para. 1(c) shall be substituted by the following entries:—

- “8. Dr. D. N. Wadia, M.A., B.Sc., F.G.S., D.Sc., Mineral Adviser to the Department of Scientific Research, Government of India.
10. Mr. G. K. Chandiramani, Deputy Educational Adviser (Technical), Ministry of Education,”

K. V. VENKATACHALAM, Dy. Secy.

### POSTS AND TELEGRAPHS

New Delhi, the 9th March 1949

**No. C-28-5/48.**—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In rule 183 of the said Rules, after clause (ii), the following shall be inserted, namely:—

“(jj) Deputy High Commissioner for Pakistan in India at Jullundur and Calcutta and the Permit Officer for Pakistan at Bombay, provided that the articles posted by them relate solely to the business of their Government.”

New Delhi, the 17th March 1949

**No. PHA-48-4/48.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government is pleased to direct that the following further amendments shall be made in Indian Telegraph Rules 1932, namely:—

In the said Rules,—

1. In rule 1, after clause (q) the following clause shall be inserted, namely:—

“(r) The Message Rate System means a system of charging on telephones under which a subscriber besides paying a prescribed rental at flat rates for the telephone instrument installed at his residence or office also pays for every call that he originates from his telephone at a rate fixed by the Department for the station in which the subscriber resides.”

2. After rule 452 the following rule shall be inserted, namely:—

“452A. The Message Rate System may be introduced in any of the telephone systems owned by the Bengal Telephone Corporation Ltd., Bombay Telephone Coy. Ltd. and the Madras Telephone Coy. Ltd., as on the 31st March 1948 at such rates as the Central Government may from time to time specify.”

3 In rule 475-A for the word and figures “451 to 457-A” the words and figures “451 to 452 and 458 to 457-A” shall be substituted.

New Delhi, the 21st March 1949

**No. PHA-48-4/48.**—In pursuance of rule 452-A of the Indian Telegraph Rules, the Central Government is pleased to direct that, with effect from the 16th May 1949, the Message Rate system shall be introduced in Bombay Exchange for all telephone connections.

New Delhi, the 22nd March 1949

**No. T-45-1/49.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Telegraph Rules, 1932, namely:—

In the said Rules—

(1) In rule 84 for clause (i), the following clause shall be substituted, namely:—

“(i) INLAND ORDINARY TELEGRAMS shall not be accepted in any telegraph office between 21 hrs. and 8 hrs. (between 9 P.M. and 8 A.M. Standard Time) or on Sundays or any telegraph holiday specified in or declared under, rule 84-A.”

(2) After rule 84 the following rule shall be inserted, namely:—

“84-A. The following holidays shall be observed as telegraph holidays in India:—

1. Id-i-Milad.
2. Good Friday.
3. King's Birthday.
4. Independence Day.
5. Janam Ashtami.
6. Dusehra.

7. Mahatma Gandhi's Birthday.
8. Id-us-Zuha.
9. Diwali.
10. Christmas Day.

Provided that if any of the above holidays falls on a Sunday, the Director-General may in lieu thereof declare any other holiday observed by the Government of India, as a telegraph holiday."

- (8) In rule 117, for the words "on the nine principal telegraph holidays" the words "on any telegraph holiday specified in, or declared under, rule 84-A" shall be substituted.

V. K. R. MENON, Secy.

#### MINISTRY OF LABOUR

New Delhi, the 22nd March 1949

**No. LP.159(1).**—In exercise of the powers conferred by rule 4 of the Coal Mines Rescue Rules, 1939, the Central Government is pleased to appoint Mr. P. C. Bose, M.L.A. (Bihar), Secretary, Indian Miners' Association, Jharia as the 9th member nominated by the Registered Trade Unions in the Collieries (to represent the interest of miners) in the Rescue Stations Committee reconstituted

by the notification of the Government of India in the Ministry of Labour No. LP.159(1), dated the 21st December 1948.

S. C. AGGARWAL, Dy. Secy.

#### ORDER

New Delhi, the 21st March 1949

**No. LR-2(162).**—Whereas by an Order of the Central Government in the Ministry of Labour No. LR-2(162), dated the 24th August 1948, the industrial dispute between the Bengal Provincial Railway Company Limited, Magra, District Hooghly and their workmen, was referred to the Industrial Tribunal at Calcutta for adjudication;

And whereas the award made by the said Tribunal has been published by the Central Government in a notification of the Ministry of Labour No. LR-2(162), dated the 25th February 1949.

Now, therefore, in exercise of the powers conferred by sections 15 and 19 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to direct that the award shall be binding for a period of one year from the 1st February 1949.

H. KHANNA, Dy. Secy.

#### MINISTRY OF FINANCE

New Delhi, the 16th March 1949

**No. D. 3532-F. 1/49.**—Statement of the Affairs of the Reserve Bank of India, as on the 11th March 1949.

#### BANKING DEPARTMENT

LIABILITIES		Rs.	ASSETS		Rs.
Capital paid up		5,00,00,000	Notes		10,78,18,000
Reserve Fund		5,00,00,000	Rupee Coin		6,25,000
Deposits:—			Subsidiary Coin		1,54,000
(a) Government—			Bills Purchased and Discounted:—		
(1) Central Government		177,82,76,000	(a) Internal		36,94,000
(2) Other Governments		22,86,02,000	(b) External		—
(b) Banks		58,31,39,000	(c) Government Treasury Bills		1,07,93,000
(c) Others		70,03,55,000	Balances held abroad *		219,14,87,000
Bills Payable		5,33,35,000	Loans and Advances to Governments		10,00,000
Other Liabilities		15,05,20,000	Other Loans and Advances		5,55,43,000
			Investments		113,02,83,000
			Other Assets		4,28,30,000
Rupees		354,42,27,000	Rupees		354,42,27,000

\* Includes Cash and Short Term Securities.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 11th day of March 1949.

#### ISSUE DEPARTMENT

LIABILITIES		Rs.	Rs.	ASSETS		Rs.	Rs.
Notes held in the Banking Department		10,78,18,000		A.—Gold Coin and Bullion:—			
Notes in circulation		1179,78,61,000		(a) Held in India		40,01,71,000	
Total Notes issued			1190,56,79,000	(b) Held outside India			
				Foreign Securities		741,61,84,000	
Total Liabilities			1190,56,79,000	Total of A			781,63,55,000
				B.—Rupee Coin			41,48,47,000
				Government of India Rupee Securities			367,44,77,000
				Internal Bills of Exchange and other Commercial Paper			—
				Total Assets			1190,56,79,000

Ratio of Total of A to Liabilities : 85.852 per cent.

Dated the 16th day of March 1949.

C. D. DESHMUKH, Governor.

New Delhi, the 22nd March 1949

No. D. 3761-F. 1/49.—Statement of the Affairs of the Reserve Bank of India, as on the 18th March 1949.

## BANKING DEPARTMENT

LIABILITIES		ASSETS	
	Rs.		Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	13,31,57,000
Reserve Fund . . . . .	5,00,00,000	Rupee Coin . . . . .	9,04,000
Deposits :—		Subsidiary Coin . . . . .	1,76,000
(a) Government—		Bills Purchased and Discounted :—	
(1) Central Government . . . . .	179,86,87,000	(a) Internal . . . . .	37,94,000
(2) Other Governments . . . . .	22,53,29,000	(b) External . . . . .	..
		(c) Government Treasury Bills . . . . .	1,61,32,000
(b) Banks . . . . .	51,66,03,000	Balances held abroad* . . . . .	208,54,59,000
(c) Others . . . . .	69,15,82,000	Loans and Advances to Governments . . . . .	..
Payable . . . . .	4,79,35,000	Other Loans and Advances . . . . .	5,36,48,000
Liabilities . . . . .	15,31,56,000	Investments . . . . .	119,71,17,000
		Other Assets . . . . .	4,29,05,000
Rupees . . . . .	353,32,92,000		353,32,92,000

\*Includes Cash and Short Term Securities.

Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 18th day of March 1949.

## ISSUE DEPARTMENT

LIABILITIES		ASSETS	
	Rs.		Rs.
held in the Banking Department . . . . .	13,31,57,000	A.—Gold Coin and Bullion :—	
Notes in circulation . . . . .	1177,29,00,000	(a) Held in India . . . . .	40,01,71,000
(1) Notes issued . . . . .	1190,60,57,000	(b) Held outside India . . . . .	..
		Foreign Securities . . . . .	741,61,84,000
Total Liabilities . . . . .	1190,60,57,000	Total of A . . . . .	781,63,55,000
		B.—Rupee Coin . . . . .	41,52,25,000
		Government of India Rupee Securities . . . . .	367,44,77,000
		Internal Bills of Exchange and other Commercial Paper . . . . .	..
		Total Assets . . . . .	1190,60,57,000

Ratio of Total of A to Liabilities : 65.650 per cent.

Dated the 28rd day of March 1949

C. D. DESHMUKH, Governor

K R. K. MENON, Secy

New Delhi, the 26th March 1949

**o. F. 4(55)-F. 1/49.**—In exercise of the powers conferred by Section 52 of the Banking Companies Act, 1949 (X of 1949) and after consultation with the Reserve Bank, the Central Government is pleased to make the following rules.

1. *Short title and commencement.*—(1) These rules may be called the Banking Companies Rules, 1949.

(2) They shall come into force at once.

2. *Interpretation.*—(1) In these rules,

(a) "the Act" means the Banking Companies Act, 1949;

(b) "principal office of the Reserve Bank" means the office of the Reserve Bank to which the returns prescribed by the Act or these rules are required to be submitted;

(c) "principal office of the banking company" means the office of the banking company which will be responsible for the submission of returns prescribed under the Act under these rules;

(d) "quarter" means a period of three months ending on the last day of March, June, September or December in any year; and

(e) "place of business" of a banking company includes any sub-office, pay office, sub-pay office or any place of business at which deposits are received, cheques cashed and moneys lent.

(2) In the application of these rules to Acceding States all references to the Provinces of India shall be construed as including references to the Acceding States to which the Act extends

3. *Submission of returns.*—(1) A return prescribed under the Act or these rules shall be submitted in the form prescribed for the purpose or as near thereto as circumstances admit.

(2) Such return shall be submitted in the manner hereinafter provided :—

- By a banking company incorporated in a Province of India, from its registered office to the office of the Reserve Bank situated in the Province in which the banking company has its registered office.
- By a banking company incorporated elsewhere than in a Province of India and having a principal place of business as declared in terms of Section 277(1) (e) of the Indian Companies Act, from that principal place of business to the office of the Reserve Bank situated in the Province in which the banking company has its principal place of business.
- In any other case, from such office of the banking company to such office of the Reserve Bank as may be specified by the Reserve Bank on an

application to be made in this behalf to the Reserve Bank of India, Department of Banking Operations at Bombay.

- (iv) Notwithstanding anything contained in clauses (i), (ii) and (iii) the Reserve Bank may, at any time, direct that the returns prescribed under the Act or these rules shall be submitted from any specified office of a banking company to any specified office of the Reserve Bank.

(3) Wherever a return prescribed under the Act or these rules relates to a particular day or date, and where such day or date is not a holiday for all the offices of a banking company, the return shall be prepared on the basis of the figures of that day or date in respect of offices working on that day or date, and the preceding working day's figures in respect of offices where that day or date is a holiday.

(4) A banking company shall, within one month from the commencement of these rules or from the commencement of business, whichever is later, intimate to the principal office of the Reserve Bank, the address of its principal office and shall intimate to that office any change in such address within one month of such change.

4. *List of Officers.*—(1) (i) A banking company shall, not later than one month from the commencement of these rules or from the commencement of business, whichever is later, send to the principal office of the Reserve Bank a written statement containing a list of

(a) the names, the official designations and specimen signatures of the officers authorised to sign on behalf of the banking company returns required under the Act or these rules and

(b) the names and addresses of the directors of the banking company.

(ii) Any change in the list referred to in clause (i) of this sub-rule shall be intimated to the principal office of the Reserve Bank within one month from the occurrence of such change.

(2) A banking company incorporated outside the Provinces of India, which at the commencement of these rules has a place of business in any Province of India, and every such company which after the commencement of these rules establishes such a place of business within any Province of India, shall, within one month from the commencement of these rules or from the establishment of such place of business, as the case may be, furnish to the principal office of the Reserve Bank the full address of the principal place of business declared in terms of Section 277(1)(e) of the Indian Companies Act and the name and address of one or more persons resident in any Province of India authorised to accept on behalf of the company any notice or order required to be served on the company under the Act or these rules and shall intimate to the principal office of the Reserve Bank any change in such name or address within one month of the occurrence of the change:

Provided that information furnished by a banking company under Rule 4 of the Banking Companies (Control) Rules, 1948, shall be deemed to have been furnished under this rule.

5. *Remuneration paid to directors and officers.*—A banking company shall, not later than the 31st January each year, send to the principal office of the Reserve Bank a statement in Form I showing the remuneration paid during the previous calendar year to the directors and officers of the company specified therein.

6. *Deposits.*—(1) The deposit specified in sub-section 2 of section 11 of the Act shall be maintained at the principal office of the Reserve Bank:

Provided that if a banking company desires to keep either the whole or part of the deposit in sterling securities, such securities will be held at the London office of the Reserve Bank, which shall hold it on behalf of the principal office of the Reserve Bank.

(2) The value of each security deposited under sub-rule (1) shall be estimated at its market rate, ex-dividend.

(3) Deposits in sterling securities shall not be brought on the books of the principal office of the Reserve Bank until that office has received an intimation from the London office of the Reserve Bank and the date on which such

deposits are brought on the books of the principal office of the Reserve Bank shall be the date of deposit for the purposes of sub-section 2 of section 11 of the Act.

(4) Securities shall be duly transferred to the Reserve Bank by the banking company.

(5) Upon receipt of a deposit under sub-rule (1) or on an intimation of deposit under sub-rule (3), the principal office of the Reserve Bank shall, as soon as possible, send to the principal office of the banking company a certificate in Form II.

(6) The market value of sterling securities shall be converted at 1s. 6d. to the rupee.

7. *Withdrawals of deposits.*—The principal office of the Reserve Bank shall not be bound to return securities actually deposited, but may substitute therefor new scrip of securities of the same description and amount.

8. *Changes in deposits.*—(1) The London office of the Reserve Bank will permit the withdrawal of sterling securities only under instructions from the principal office of the Reserve Bank.

(2) When the form or amount of deposit is changed by reason of a subsequent deposit or withdrawal, the principal office of the Reserve Bank shall, as soon as possible, send to the principal office of the banking company a fresh certificate in Form II.

9. *Maturing of security deposits.*—When a security deposit matures or when any yield on such a security ceases to accrue, the principal office of the Reserve Bank shall not be bound to inform the banking company; but upon the receipt of a requisition in writing from the banking company, the principal office of the Reserve Bank shall, as soon as possible, collect the discharge value and hold the amount in deposit for purposes of sub-section (2) of section 11 of the Act.

10. *Interest on deposits.*—(1) No interest shall be payable on cash deposits.

(2) Interest on sterling securities will on realisation be credited, if so desired, as soon as possible, to an account in London, subject to the usual charges. In other cases such interest will be remitted by the London office to the principal office of the Reserve Bank at the prevailing rate of exchange after deduction of the usual charges.

(3) The principal office of the Reserve Bank shall credit, as soon as possible, the current account of the banking company maintained with it with the interest realised on rupee securities, subject to the usual charges, and with the amounts received, if any, from the London office of the Reserve Bank under sub-rule (2).

11. *Licensing of banking companies.*—A company desiring to have a licence under Section 22 of the Act shall apply to the principal office of the Reserve Bank in a form specified below, namely:

(a) in the case of a company incorporated in any Province of India and desiring to commence banking business, in Form V

(b) in the case of a company incorporated in any Province of India and in existence at the commencement of the Act, in Form VI and

(c) in the case of a company incorporated outside the Provinces of India and desiring to commence/carry on banking business in any Province of India, in Form VII.

12. *Opening of new places of business.*—An application by a banking company for permission to open a new place of business or change the location of an existing place of business under section 28 of the Act shall be submitted to the principal office of the Reserve Bank in Form VIII.

13. *List of offices.*—A banking company shall, within a period of one month from the close of every quarter, send to the principal office of the Reserve Bank a list in Form IX of all its offices in the Provinces of India at which it was doing business during that quarter.

14. *Publication of approved currencies.*—(1) The Reserve Bank shall, not later than one month from the commencement of these rules, by notification in the Gazette of India, publish for the purpose of section 25 of the Act a list of currencies in which export bills drawn in and import bills drawn on and payable in India may be expressed.

(2) Any alteration in the list referred to in sub-rule (1) shall also be published in the Gazette of India.

(3) An alteration adding a currency to the list shall take effect from the date of publication of the alteration while an alteration omitting a currency from the list shall take effect at the expiry of three months from the date of publication of the alteration.

15. *Manner of publication of accounts and balance sheet.*—The balance sheet and profit and loss account prepared in terms of section 29 of the Act together with the au-

ditor's report shall be published within a period of six months from the end of the period to which they relate in a newspaper which is in circulation at the place where the banking company has its principal office.

16. *Power to exempt in certain cases.*—The Central Government may, on the recommendation of the Reserve Bank, declare by notification in the official Gazette that any or all of the provisions of these rules shall not apply to any banking company or to any class of banking companies either generally or for such period as may be specified.

### THE BANKING COMPANIES ACT, 1949

#### FORM I (SEE RULE 5)

##### (SECTION 10)

*(To be submitted not later than the 31st January each year)*

Name of the banking company \_\_\_\_\_  
Name and designation of the officer submitting the return \_\_\_\_\_  
Remuneration\* paid to the directors and the first ten highest paid officers of the banking company in the Province of India \*\* during the year ended the 31st December \_\_\_\_\_

Name	Age	Qualifications	Experience	Designation	Remuneration* during the year ended the 31st December 19
1	2	3	4	5	6

Date \_\_\_\_\_

Signature \_\_\_\_\_

\*Remuneration includes salary, house allowance, dearness allowance, conveyance allowance, local allowance and all other forms of allowances, bonus, contribution made by the employer to provident or pension funds, taxes paid on behalf of officers, etc.

\*\*In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

### THE BANKING COMPANIES ACT, 1949

#### FORM II (SEE RULES 6 AND 8)

##### (SECTION 11)

Reserve Bank of India

No. \_\_\_\_\_

Place \_\_\_\_\_

Date \_\_\_\_\_

Certified that the Reserve Bank of India held on behalf of \_\_\_\_\_ the undernoted deposits in term of section 11(2) of the Banking Companies Act, 1949 as at the close of business on \_\_\_\_\_.

1	Cash	Approved Securities		Remarks
		Loan	Face Value	
2	3	4	5	

TOTAL

(In figures and words separately for cash and approved securities,)

MANAGER.

NOTE.—The issue of this certificate renders any previous certificate issued by the Reserve Bank null and void.

THE BANKING COMPANIES ACT, 1949

FORM III

(SECTION 18)

Name of the banking company\_\_\_\_\_

Name and designation of the officer submitting the return\_\_\_\_\_

Statement of cash reserve as at the close of business on the following days of the month of\_\_\_\_\_

(To be filled in triplicate with the Reserve Bank before the fifteenth day of the month succeeding that to which the return relates.)

(Rounded off to the nearest thousand)

	1st Friday *	2nd Friday *	3rd Friday *	4th Friday *	5th Friday *
A. Liabilities.					
1. Demand Liabilities					
2. Time Liabilities					
3. Total Demand and Time Liabilities					
B. Minimum amount of cash reserve required to be held under section 18 of the Act.					
1. Five per cent of A(1)					
2. Two per cent. of A(2)					
3. Total of B(1) and B(2)					
C. Cash reserve.					
1. Cash**					
(a) Notes					
(b) Rupee coin (including one rupee notes)					
(c) Subsidiary coin					
2. Balances with the Reserve Bank					
3. Total of C(1) and C(2)					

Date\_\_\_\_\_Signature\_\_\_\_\_

\*Give dates.

\*\*Cash must not include balances at other banks or any item other than currency notes, rupee coin (including one rupee notes) and subsidiary coin.

THE BANKING COMPANIES ACT, 1949

FORM IV

(SECTION 20)

Name of the banking company\_\_\_\_\_

Name and designation of the officer submitting the return\_\_\_\_\_

Statement for the month of\_\_\_\_\_of unsecured loans and advances (including bills purchased and discounted,) granted (in the Provinces of India)\* to companies in which the banking company or any of its directors is interested as director, managing agent or guarantor.\*\* (To be submitted to the Reserve Bank before the close of the month succeeding that to which the return relates).

A—Statement of unsecured loans and advances (including bills purchased and discounted) granted to public companies in which the banking company is interested as director, managing agent or guarantor and to private companies in which the banking company is interested as director or guarantor.

(Rounded off to the nearest thousand)

Name of the company to which the advance has been made	Nature of interest in the company (whether director, managing agent, guarantor, etc.)	Date of advance.	Date of repayment	Amount out standing on the last working day of the month	Highest outstand- ing during the month	Lowest outstand- ing during the month	Rate of interest	Nature of advance (whether loan, over draft, cash & credit, purchase or discount of bills etc.)	Remarks
1	2	3	4	5	6	7	8	9	10

B—Statement of unsecured loans and advances (including bills purchased and discounted) granted to public companies in which any of the directors of the banking company is interested as director, managing agent or guarantor and to private companies in which any of the directors of the banking company is interested as director.

(Rounded off to the nearest thousand)

Name of the director of the banking company, who is interested	Name of the company to which the advance has been made	Relation of the director of the banking company to the company (whether director, managing agent, guarantor etc.)	Date of advance	Date of repayment	Amount outstanding on the last working day of the month	Highest outstanding during the month	Lowest outstanding during the month	Rate of interest	Nature of advance (whether loan, overdraft, cash credit, purchase or discount of bills etc.)	Remarks
1	2	3	4	5	6	7	8	9	10	11

Total of Column 6 —————

Date —————

Signature —————

\*) In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

\*\*) The statement should include loans and advances (including bills purchased and discounted) granted during the month or previously repaid during the month or outstanding on the last working day of the month.

NOTE.—In case a banking company has no loans or advances to report, the fact may be reported in a letter.

### THE BANKING COMPANIES ACT, 1949

#### FORM V (SEE RULE 11)

#### (SECTION 22)

Form of application for a licence to commence banking business by a company incorporated in any Province of India\* and desiring to commence banking business.

Address —————

Date —————

Department of Banking Operations,  
Reserve Bank of India, —————

#### Application for a licence to commence banking business

Dear Sir,

We hereby apply for a licence to commence banking business in terms of section 22 of the Banking Companies Act, 1949. We give below the necessary information in the form prescribed for the purpose.

Yours faithfully.

Signature —————

1. Name of the company.
2. Place of registration of the company.
3. State whether the company is public or private.
4. Date of incorporation.
5. *Previous applications* :  
Give particulars of any application previously made to the Reserve Bank in this connection.
6. *Management* :  
(a) Give names, business and addresses of directors, the amount of shares held by each and the names of the bankers of each of them.  
(b) Give the name of the proposed chief executive officer, his qualifications, experience, age and the proposed remuneration.
7. State detailed reasons for the flotation of the company and give statistical and other data, as under, which may have been collected in respect of the area which the company intends to serve.  
(i) The population of the area of operation of the proposed place of business.  
(ii) The volume and value of agricultural, mineral and industrial production and imports and exports of the area of operation of the proposed place of business as under ;



Commodity	Production		Imports		Exports	
	Volume	Value	Volume	Value	Volume	Value
1	2	3	4	5	6	7

(iii) If there are any schemes for agricultural, mineral or industrial development give details of the same and their probable effects on the volume and value of the present production, imports and exports.

(iv) If the existing banking facilities are considered inadequate, give reasons.

(v) *Prospects*: Give as under an estimate of the minimum business which the company expects to attract at the proposed place of business within 12 months.

I. Deposits	Amount in thousands of rupees	<i>Rates proposed to be allowed on various types of deposits.</i>
		Minimum                      Maximum

II. Advances	Amount in thousands of rupees	<i>Rates proposed to be charged on various types of advances.</i>
		Minimum                      Maximum

8. Forward an up-to-date copy of the Memorandum and Articles of Association and a copy of the prospectus (with certified translations in English if not in that language).

9. State whether the company fulfils the conditions laid down in sub-section (3) of section 11, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company.

10. Any additional facts which the company may wish to adduce in support of its application.

\*In the application of this form in relation to Acceding States a reference to any 'Province of India' shall be construed as including as reference to the Acceding States to which the Act extends.

N.B.—(1) If an application is for commencing banking business at Bombay, Calcutta, Madras, Delhi or Kanpur, the details asked for under item 7(i) (ii) and (iii) need not be supplied.

(2) If a company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given.

(3) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 6, 7 and 8 need not be supplied unless there is any change since the last application.

## THE BANKING COMPANIES ACT, 19

### FORM VI (SEE RULE 11)

#### (SECTION 22)

*Form of application for a licence to carry on banking business by a company incorporated in any Province of India\* and in existence on the commencement of the Act.*

Address .....

Date .....

Department of Banking Operations,  
Reserve Bank of India, \_\_\_\_\_

#### *Application for a licence to carry on banking business*

Dear Sir,

We hereby apply for a licence to carry on banking business in terms of section 22 of the Banking Companies Act, 1949. We give below the necessary information in the form prescribed for the purpose.

Yours faithfully,

Signature.....

1. Name of the banking company.
2. Place of registration of the banking company and of its head office.
3. State whether the banking company is public or private.
4. Date of Incorporation.
5. Date of commencement of business.
6. *Previous applications*:  
Give particulars of any application previously made to the Reserve Bank in this connection
7. *Management*:  
(a) Give names, business and addresses of directors.  
(b) Give name of the chief executive officer, his qualifications experience, age and the remuneration paid.

*Existing offices\*\**

Give the number of offices\*\* in the Provinces of India\* and a brief description of the system of supervision and control over the branches.

- 9. Give details regarding the authorised, subscribed and paid-up capital and reserves of the banking company as on the date of the application.
- 10. Forward an up-to-date copy of the Memorandum and Articles of Association and copies of the balance sheets together with profit and loss account statements for the last five years (with certified translations in English, if not in that language).
- 11. State whether the banking company fulfils the conditions laid down in sub-section (3) of section 22, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company.
- 12. Any additional facts which the banking company may wish to adduce in support of its application.

\*In the application of this form in relation to Acceding States all references to the 'Provinces of India' or any 'Province of India' shall be construed as including references to the Acceding States to which the Act extends.

\*\*Includes the registered office and all places of business at which deposits are received, cheques cashed or moneys lent.

N.B. (1) If a banking company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given.

(2) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 5, 7, 8, 9, and 10 need not be filed unless there is any change since the last application.

THE BANKING COMPANIES ACT, 1949.

FORM VII (See RULE 11)

(SECTION 22)

*Form of application for a licence to \*commence/carry on banking business in any Province of India\*\* by a banking company incorporated outside the Provinces of India\*\**

Address .....

Date .....

Department of Banking Operations,  
Reserve Bank of India,-----

*Application to \*commence/carry on banking business in any Province of India\*\*.*

Dear Sir,

We hereby apply for a licence to \*commence/carry on banking business in terms of section 22 of the Banking Companies Act, 1949. We give below the necessary information in the form prescribed for the purpose.

Yours faithfully,

Signature .....

- 1. Name of the banking company.
- 2. Place of registration of the banking company and of its head office.
- 3. State whether the banking company is public or private.
- 4. Date of incorporation
- 5. Country or State in which the banking company is incorporated.
- 6. *Previous applications :*  
Give particulars of any application previously made to the Reserve Bank in this connection.
- 7. *Management :*
  - (a) Give names, business and addresses of directors in the Provinces of India\*\*.
  - (b) Give the name of the chief executive officer or the proposed chief executive officer in the Provinces of India\*\*, his qualifications, experience, age, and the remuneration paid or proposed to be paid.
- 8. (a) *For a banking company already carrying on banking business in any Province of India\*\*:*  
*Existing offices†*  
Give the number of offices† in the Provinces of India\*\* and a brief description of the system of supervision and control over the offices†

(b) For a company desiring to commence banking business in any Province of India\*\* :

State detailed reasons for an office† in the Provinces of India\*\* and give statistical and other data, as under, which may have been collected in respect of the area which the company intends to serve.

(i) The population of the area of operation of the proposed place of business.

(ii) The volume and value of agricultural, mineral and industrial production and imports and exports of the area of operation of the proposed place of business as under :

Commodity	Production		Imports		Exports	
	Volume	Value	Volume	Value	Volume	Value
1	2	3	4	5	6	7

(iii) If there are any schemes for agricultural, mineral or industrial development give details of the same and their probable effects on the volume and value of the present production, imports and exports.

(iv) If the existing banking facilities are considered inadequate, give reasons.

(v) Prospects : Give as under an estimate of the minimum business which the company expects to attract at the proposed place of business within 12 months.

I. Deposits	Amount in thousands of rupees	Rates proposed to be allowed on various types of deposits. Minimum      Maximum
II. Advances	Amount in thousands of rupees	Rates proposed to be charged on various types of advances. Minimum      Maximum
III. Export & Import Bills.	Amount in thousands of rupees.	

9. State what arrangements have been made to ensure compliance with the provisions of section 11(2) of the Act.

10. Forward an up-to-date copy of the Memorandum and Articles of Association and copies of the balance sheets together with profit and loss account statements for the last five years (with certified translations in English if not in that language).

11. State whether the banking company fulfils the conditions laid down in sub-section (3) of section 22, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company.

12. Any additional facts which the banking company may wish to adduce in support of its application.

\*The portion not applicable to be struck off.

\*\*In the application of this form in relation to an Acceding States all references to the 'Provinces of India' or any 'Province of India' shall be construed as including references to the Acceding States to which the Act extends.

\*Includes all places of business at which deposits are received, cheques cashed or moneys lent.

N. B.—(1) If an application is for commencing banking business at Bombay, Calcutta, Delhi, Madras or Kanpur, the details asked for under item 8(b) (i), (ii) and (iii) need not be supplied.

(2) If a company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given.

(3) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 5, 7, 8, and 10 need not be supplied unless there is any change since the last application.

## THE BANKING COMPANIES ACT, 1949.

### FORM VIII (SEE RULE 12)

#### (SECTION 23)

*Form of application for permission to open a new place of business or change the location (otherwise than within the same city, town or village) of an existing place of business under section 23 of the Act;*

Address \_\_\_\_\_

Date \_\_\_\_\_

Department of Banking Operations,  
Reserve Bank of India, \_\_\_\_\_

Dear Sir,

We hereby apply for permission to \*open a new place of business/change the location of an existing place of business in terms of section 23 of the Banking Companies Act, 1949. We give below the necessary information in the form prescribed for the purpose

Yours faithfully,

Signature \_\_\_\_\_

1. Name of the banking company.
2. Place of registration of the banking company and of its head office.
3. State whether the banking company is public or private.
4. Date of incorporation.
5. Date of commencement of business
6. Previous applications : Give particulars of any application previously made to the Reserve Bank in this connection.

7. *Management*: (a) Give names, business and addresses of directors.
- (b) Give the name of the officer-in-charge of the proposed office, his qualifications, experience, age, and remuneration and also particulars about the Local Advisory board or (local directors), if any.
8. *Existing offices*: (a) Give the number of offices in the Provinces of India\*\*. In the case of offices making losses, also give details as in Table 'A'.
- (b) In the case of offices which have been in existence for less than three years on the date of application also give details as in Table 'B'.
9. *Proposed office*: Give the location of the proposed office.
9. (a) *Reasons for the proposed office*: State detailed reasons for the proposed office and give statistical and other data, as under, which may have been collected for the proposed office.
  - (i) The population of the area of operation of the proposed office.
  - (ii) The volume and value of agricultural, mineral and industrial production, and imports and exports of the area of operation of the proposed office as under:

Commodity	Production		Imports		Exports	
	Volume	Value	Volume	Value	Volume	Value
1	2	3	4	5	6	7

- (iii) If there are any schemes for agricultural, mineral or industrial development give details of the same and their probable effects on the volume and value of the present production, imports and exports.
  - (iv) If the existing banking facilities are considered inadequate, give reasons.
  - (v) *Prospects*: Give as under an estimate of the minimum business which the banking company expects to attract at the proposed office within 12 months.
- |              |                               |  |
|--------------|-------------------------------|--|
| I. Deposits  | Amount in thousands of rupees | Rates proposed to be allowed on various types of deposits. |
|              |                               | Minimum                      Maximum                       |
| II. Advances | Amount in thousands of rupees | Rates proposed to be charged on various types of advances. |
|              |                               | Minimum                      Maximum                       |

10. *Change of location of an existing office*. Give the exact location of the office which is proposed to be closed and of place to which it is proposed to shift it, giving particulars of the new location as in No. 9(a).
11. *System of supervision and control over the proposed office*. Give a brief description of the system of supervision and control which will be exercised over the proposed office and the authority of the officials at the proposed office regarding advances (including bills purchased and discounted).
12. *Capital and Reserves*. Give details regarding the authorised, subscribed and paid-up capital and reserves of the banking company as on the date of the application.
13. *Expenditure*. State the amount already spent or proposed to be spent on staff, premises, furniture, stationery advertising etc. in connection with the proposed office. Also state the minimum income which the banking company expects to earn at the proposed office in 12 months.
14. Forward an up-to date copy of the Memorandum and Articles of Association and copies of balance sheets together with profit and loss account statements for the last five years (with certified translations in English, if not in that language).
15. *Other particulars*. Any additional facts which the banking company may wish to adduce in support of its applications.

\*The portion not applicable to be struck off.

\*\*In the application of this form in relation to Acceding states a reference to the 'Provinces of India' shall be construed as including as reference to the Acceding States to which the Act extends.

N.B.—(1) The words 'office' and 'offices' wherever they occur in this form include a place or places of business at which deposits are received, cheques cashed or moneys lent.

2. Nos. 9 and 9(a).—To be replied to if the application is for opening a new office. If an application is for opening a place of business at Bombay, Calcutta, Delhi, Madras, or Kanpur, the details asked for under item 9(a)(i), (ii) and (iii) need not be supplied.

3. No. 10.—To be replied to if the application is for changing the location of an existing place of business.

4. If a banking company is unable or unwilling to supply full details in respect of any of the items reasons for the omission may be given.

5. If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 5, 6, 7, 8, 11, 12 and 14 need not be supplied unless there is any change since the last application.

6. The information asked for in items 7(b), 8, 9(a) 10, and 13 is to be given separately for each office where the application relates to the opening of or changing the location of more than one office.

TABLE 'A'

NAME OF THE BANKING COMPANY \_\_\_\_\_

NUMBER OF EXISTING OFFICES MAKING LOSSES \_\_\_\_\_

Name of Place	Description i.e. whether branch, sub-office, pay-office, sub-pay office etc.	Date of opening	Amount of loss during the preceding year	Deposits	Advances	Remarks
				As on the date	of the last balance sheet.	
1	2	3	4	5	6	7

TABLE 'B'

*Particulars regarding offices which have been in existence for less than three years on the date of application.*

As on the date of the last balance sheet (Rounded off to the nearest thousand)											
Name of Place	Description i. e. whether branch, sub- office, pay- office, sub- pay office etc.	Date of opening	Deposits				Advances				Remarks
			Current	Savings	Others	Total	Secured	Unsecured	Doubtful or bad	Total	
1	2	3	4	5	6	7	8	9	10	11	12

## THE BANKING COMPANIES ACT, 1949.

## FORM IX (SEE RULE 13)

## (SECTION 23)

*To be submitted within one month after the end of quarter to which it relates*

Name of the banking company \_\_\_\_\_

Name and designation of the officer submitting the return \_\_\_\_\_

(a) Statement of offices\* in the Provinces of India\*\* as on the last day of the quarter ended \_\_\_\_\_

Name of place where the banking company has an office (May be arranged in alphabetical Order)

District and Province or State

1

2

(b) Statement of offices\* opened in the Provinces of India\*\* during the quarter ended \_\_\_\_\_

Name of the place

District and province or State

Date of opening the office

1

2

3

(c) Statement of offices\* in the Provinces of India\*\* closed during the quarter ended \_\_\_\_\_

Name of the place

District and province or State

Date of closing the office

1

2

3

Date \_\_\_\_\_

Signature \_\_\_\_\_

\*Includes the registered office and all places of business at which deposits are received, cheques cashed or moneys lent.

\*\*In the application of this form in relation to Acceding State a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

## THE BANKING COMPANIES ACT, 1949

## FORM X

(SECTION 24)

Name of the banking company—  
Name and designation of the officer submitting the return—  
Statement of demand and time liabilities and cash, gold and unencumbered approved securities for the month of—  
(To be furnished to the Reserve Bank not later than 15 days after the end of the month to which it relates).

(Rounded off to the nearest thousand)

As at the close of business on

## A. Liabilities in the Provinces of India\*.

	1st Friday (a)	2nd Friday (a)	3rd Friday (a)	4th Friday (a)	5th Friday (a)
1. Demand Liabilities . . . . .	..	..	..	..	..
2. Time Liabilities . . . . .	..	..	..	..	..
3. Total Demand and Time Liabilities . . . . .	..	..	..	..	..

Minimum amount of assets required to be held under section  
24 of the Act. . . . .  
[20 per cent. of A(3)] . . . . .

## C. Assets.

1. Cash in hand . . . . .	..	..	..	..	..
2. Balances with the Reserve Bank . . . . .	..	..	..	..	..
3. Balances with the agent of the Reserve Bank . . . . .	..	..	..	..	..
4. Gold (valued at a price not exceeding current market price) . . . . .	..	..	..	..	..
5. Unencumbered approved securities (valued at a price not exceeding current market price) . . . . .	..	..	..	..	..
6. Deposit with the Reserve Bank under sub-section (2) of section 11 of the Act. . . . .	..	..	..	..	..
(i) Cash . . . . .	..	..	..	..	..
(ii) Unencumbered approved securities (valued at a price not exceeding current market price) . . . . .	..	..	..	..	..
7. Total of the above assets . . . . .	..	..	..	..	..

Date—

Signature—

(a) Give dates (where Friday is a holiday under the Negotiable Instruments Act, 1881 (XVI of 1881), the preceding working day.)

\*In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

## THE BANKING COMPANIES ACT, 1949

## FORM XI

(SECTION 25)

Name of the banking company—  
Name and designation of the officer submitted the return—

Statement for the quarter ending—  
Statement of assets and liabilities in the Provinces of India\* as at the close of business on the last working day of March,  
June, September or December.

(To be submitted to the Reserve Bank before the 30th April, 31st July, 31st October and 31st January each year).

(Rounded off to the nearest thousand)

## A. Liabilities in the Provinces of India\* :

1. Demand Liabilities . . . . .	_____
2. Time Liabilities . . . . .	_____
3. Total Demand and Time Liabilities . . . . .	_____

## B. Minimum amount of assets required to be held in the Provinces of India\* under section 25 of the Act [75 per cent. of A(3)]

## C. Assets in the Provinces of India\* :

1. Cash in hand . . . . .	_____
2. Balances with the Reserve Bank . . . . .	_____
3. Balances with the agent of the Reserve Bank . . . . .	_____
4. Balances with other banking companies in current account and money at call and short notice . . . . .	_____

5. Inland bills purchased \_\_\_\_\_
6. Inland bills discounted \_\_\_\_\_
7. Export bills drawn in India (In approved currencies) \_\_\_\_\_
8. Import bills drawn on and payable in India (expressed in approved currencies) \_\_\_\_\_
9. Investments :
  - (a) Central and Provincial Government Securities including treasury Bills \_\_\_\_\_
  - (b) Other securities, shares, debentures etc. \_\_\_\_\_
  - (c) Other investments \_\_\_\_\_
10. Loans, advances, cash credits and overdrafts (excluding those referred to in item 11) \_\_\_\_\_
11. Due from banking companies \_\_\_\_\_
12. Promissory notes, bills of exchange and securities which the Reserve Bank is empowered to purchase, discount or make advances against [*vide* section 25(3) of the Act] and not included in any of the above items, e.g., securities of foreign Governments which the Reserve Bank is empowered to purchase or make advances against. \_\_\_\_\_
13. Premises, Furniture, Fixtures and other fixed assets \_\_\_\_\_
14. Other assets \_\_\_\_\_

Total \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

\*In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

## THE BANKING COMPANIES ACT, 1949

## FROM XII

## (SECTION 26)

Name of the banking company \_\_\_\_\_

Name and designation of the officer submitting the return \_\_\_\_\_

Return of unclaimed accounts in the Provinces of India\* which have not been operated upon for 10 years or more as on the date of the return.

As on the 31st December \_\_\_\_\_

(To be submitted to the Reserve Bank within thirty days after the close of each calendar year)

Name of office or branch of the banking company	Name & address of the depositor	Balance of outstanding	Nature of account (whether current, savings, fixed, etc.)	Date of last deposit or withdrawal	Reasons, if any, why not operated upon	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Balance brought forward from the previous return (a) \_\_\_\_\_

Interest allowed, if any, during the year (a) \_\_\_\_\_

Total \_\_\_\_\_

Additions since the date of the last return (b) \_\_\_\_\_

Total \_\_\_\_\_

Withdrawals since the date of the last return (b) \_\_\_\_\_

Total \_\_\_\_\_

Balance as at the close of the year \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

\*In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

(a) Only totals may be given under column 3.

(b) Particulars to be given under all columns.

N.B.—The particulars required by this form should be given to the extent to which they are available.



## THE BANKING COMPANIES ACT, 1949

## FORM XIII

(SECTION 27)

Name of the banking company\_\_\_\_\_

Name and designation of the officer submitting the return\_\_\_\_\_

Statement showing the assets and liabilities in the Provinces of India\* as at the close of business on Friday† the\_\_\_\_\_

(To be submitted to the Reserve Bank before the close of the month succeeding that to which the return relates)

(Rounded off to the nearest thousand)

## A. Liabilities in the Provinces of India \*

1. Paid-up Capital‡ \_\_\_\_\_
2. Reserve Fund and other reserves \_\_\_\_\_
3. Demand Deposits and contingency (unadjusted) accounts \_\_\_\_\_
- (a) Demand Deposits from banking companies \_\_\_\_\_
- (b) Demand Deposits from others and contingency (unadjusted) accounts \_\_\_\_\_
4. Time Deposits : \_\_\_\_\_
- (a) From banking companies \_\_\_\_\_
- (b) From others \_\_\_\_\_
5. Due to other banks \_\_\_\_\_
6. Bills payable \_\_\_\_\_
7. Branch Adjustments \_\_\_\_\_
8. Other liabilities§ \_\_\_\_\_

Total \_\_\_\_\_

## B. Assets in the Provinces of India.\*

1. Cash in hand \_\_\_\_\_
2. Balances with the Reserve Bank \_\_\_\_\_
3. Balances with the agent of the Reserve Bank \_\_\_\_\_
4. Balances with other banking companies in current account \_\_\_\_\_
5. Money at call and short notice \_\_\_\_\_
6. Bills purchased \_\_\_\_\_
7. Bills discounted \_\_\_\_\_
8. Investments :— \_\_\_\_\_
- (1) In Government Securities (including treasury bills) : \_\_\_\_\_
- (a) Central Government \_\_\_\_\_
- (b) Provincial Government \_\_\_\_\_
- (2) Other investments \_\_\_\_\_
- (a) Securities of local authorities (e.g., municipalities, port trusts etc.) \_\_\_\_\_
- (b) Shares, debentures, etc. \_\_\_\_\_
- (c) Others \_\_\_\_\_
9. Loans, advances, cash credits and overdrafts (excluding due from banks) \_\_\_\_\_
10. Due from banks \_\_\_\_\_
11. Premises, furniture, fixtures and other fixed assets \_\_\_\_\_
12. Branch Adjustments \_\_\_\_\_
13. Capitalised expenses including preliminary expenses, organisation expenses, share-selling commission, brokerage, amounts of losses incurred and any other item of expenditure not represented by tangible assets § \_\_\_\_\_
14. Other tangible assets \_\_\_\_\_

Total \_\_\_\_\_

Date\_\_\_\_\_

Signature\_\_\_\_\_

\*In the application of this form in relation to Acceding States a reference to the 'Provinces of India' shall be construed as including a reference to the Acceding States to which the Act extends.

†The last Friday of every month or if that Friday is a public holiday under the Negotiable Instruments Act, 1881 (XVI of 1881), at the close of business on the preceding working day

‡In the case of banking companies incorporated outside the Provinces of India and Acceding States to which the Act extends, the amount of deposit kept with the Reserve Bank under sub section (2) of section 11 of the Act should be shown under this head but excluded from the total.

§The balance of Profit and Loss Account, if any, should be included in item A8 or B13 as the case may be.

## MINISTRY OF HOME AFFAIRS

New Delhi, the 24th March 1949

**No. 25/46/48-Ests.**—In exercise of the powers, conferred by sub-section (2) of section 241, section 247, and sub-section (3) of section 266 of the Government of India Act, 1935, the Governor-General is pleased to make the following Rules, namely:—

1. (1) These Rules may be called the Civil Services (Safeguarding of National Security) Rules, 1949.

(2) They apply to all persons serving in connection with the affairs of the Dominion whose conditions of service are regulated by the Governor-General or the Governor of a Province under section 247 of the Government of India Act, 1935, or by the Governor-General or any person authorised by him under sub-section (2) of section 241 of that Act.

2. In these Rules,—

- (a) "Government servant" means any person to whom these Rules apply;
- (b) "head of a department" means any authority who is the head of a department for the purposes of the Supplementary Rules; and
- (c) "the competent authority" means—

(i) in relation to a Government servant appointed by a head of a department or by an authority subordinate to a head of a department, that head of a department; and

(ii) in relation to any other Government servant, the Governor-General.

3. A Government servant who, in the opinion of the competent authority, is engaged in or is reasonably suspected to be engaged in subversive activities or is associated with others in subversive activities in such a manner as to raise doubts about his reliability, may be compulsorily retired from service:

Provided that a Government servant shall not be so retired, unless the competent authority is satisfied that his retention in the public service is prejudicial to national security, and unless, where the competent authority is a head of a department, the prior approval of the Governor-General has been obtained.

4. Where, in the opinion of the competent authority, there are reasonable grounds for believing that a Government servant is liable to compulsory retirement under rule 3, it shall—

- (a) by order in writing, require the Government servant to proceed on such leave as may be admissible to him and from such date as may be specified in the order;

(b) by notice in writing, inform him of the action proposed to be taken in regard to him under rule 3;

(c) give him a reasonable opportunity of showing cause against that action; and

(d) before passing a final order under rule 3, take into consideration any representation made by him in this behalf.

5. Nothing contained in Part XII and XIII of the Civil Services (Classification, Control and Appeal) Rules shall apply to or in respect of any action taken or proposed to be taken under these rules.

6. It shall not be necessary for the Governor-General to consult the Federal Public Service Commission in respect of any order passed under these rules.

7. Any person compulsorily retired from service under rule 3 shall be entitled to such compensation pension, gratuity or provident fund benefits as would have been admissible to him under the rules applicable to his service or post on the date of such retirement if he had been discharged from service due to the abolition of his post without any alternative suitable employment being provided.

S. B. BAPAT, Joint Secy.

## RESOLUTION

New Delhi, the 23rd March 1949

**No. 34/2/49-Public.**—The Governor General has decided that, with effect from the 16th March 1949, the name of the Ministry of External Affairs and Commonwealth Relations be changed to "Ministry of External Affairs".

## ORDER

ORDERED that a copy of this Resolution be communicated to all Ministries of the Government of India; Prime Minister's Secretariat; Cabinet Secretariat; Partition Secretariat; Constituent Assembly of India; Development Board; Military Secretary to the Governor General; Secretary to the Governor General; Scientific Research Department; Legislative Assembly Department; Federal Court; Ministry of Finance (E. A. and C. R. and States); Ministry of Finance (Defence); Ministry of Finance (Revenue Division); Federal Public Service Commission; Intelligence Bureau; Secretariat Training School; Indian Administrative Service Training School; Inspector General; Special Police Establishment; the Commandant, Central Police Training, College, Abu; all Provincial Governments and Chief Commissioners for information.

ORDERED also that the Resolution be published in the *Gazette of India* for general information.

H. V. R. IENGAR, Secy.